

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTIETH LEGISLATURE

SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 27, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Lee Gray, Page.

### Approval of Journal

January 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 26, 2009

Mr. Speaker:

I transmit herewith [SCR 101](#) which has passed the Senate.  
WOOD, Secretary

[SCR 101](#) was filed for first reading.

### Report of Standing Committees

January 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 25](#).  
CLARK, Chairman

[H 25](#) was referred to the Ways and Means Committee.

January 26, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 3](#), [H 5](#), [H 10](#), [H 11](#), and [H 12](#) and recommend that they do pass.

LAKE, Chairman

[H 3](#), [H 5](#), [H 10](#), [H 11](#), and [H 12](#) were filed for second reading.

January 26, 2009

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [H 6](#) and [H 7](#) and recommend that they do pass.

RAYBOULD, Chairman

[H 6](#) and [H 7](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

[SCR 101](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HP 1](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HP 1](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker.  
Total – 69.

NAYS – Durst. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HP 1](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall [HP 1](#) be adopted?"

Whereupon the Speaker declared [HP 1](#) adopted by voice vote and ordered the proclamation transmitted to the Senate.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**HOUSE BILL NO. 26****BY DURST****AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 33-406, IDAHO CODE, TO PROVIDE FOR APPLICATION BY A QUALIFIED SCHOOL ELECTOR FOR STATUS AS A PERMANENT ABSENTEE VOTER AND TO PROVIDE FOR PROCESSING OF SUCH APPLICATION; AMENDING SECTION 34-1002, IDAHO CODE, TO PROVIDE FOR WRITTEN APPLICATION BY ANY REGISTERED ELECTOR TO THE COUNTY CLERK FOR STATUS AS A PERMANENT ABSENTEE VOTER, TO PROVIDE FOR VALIDATION, PROCESS AND TABULATION OF ONGOING ABSENTEE BALLOTS, TO PROVIDE FOR TERMINATION OF PERMANENT ABSENTEE VOTER STATUS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 50-443, IDAHO CODE, TO PROVIDE FOR WRITTEN APPLICATION BY ANY REGISTERED MUNICIPAL ELECTOR TO THE CITY CLERK FOR AN OFFICIAL BALLOT, TO PROVIDE FOR ANY REGISTERED MUNICIPAL ELECTOR TO SUBMIT AN APPLICATION TO THE COUNTY CLERK FOR STATUS AS A PERMANENT ABSENTEE VOTER PURSUANT TO IDAHO CODE, TO PROVIDE FOR PROCESSING OF SUCH APPLICATION, TO REVISE A FEDERAL LAW REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 27****BY DURST****AN ACT**

RELATING TO LEGISLATURE ELECTION PUBLIC FINANCING; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 26, TITLE 34, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR LEGISLATIVE PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR PUBLIC FINANCING OF LEGISLATURE PRIMARY ELECTIONS, TO PROVIDE FOR PUBLIC FINANCING OF LEGISLATURE GENERAL ELECTIONS, TO PROVIDE FOR LIMITATION ON QUALIFIED ELECTOR PETITION SIGNATURES, TO PROVIDE FOR THE LEGISLATURE ELECTION PUBLIC FINANCE FUND AND TO PROVIDE FOR RULEMAKING AUTHORITY; AMENDING SECTION 63-3088, IDAHO CODE, TO PROVIDE FOR AN INCOME TAX DESIGNATION BY INDIVIDUALS FOR THE LEGISLATURE ELECTION PUBLIC FINANCE FUND AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 28****BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO THE STATE LIQUOR DISPENSARY; AMENDING THE HEADING FOR CHAPTER 2, TITLE 23, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTIONS 23-102, 23-201, 23-202, 23-203, 23-204, 23-205, 23-206, 23-207, 23-208, 23-209, 23-211, 23-212, 23-214, 23-215, 23-216, 23-217, 23-301, 23-302, 23-305, 23-306, 23-307, 23-308, 23-308B AND 23-309, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 23-311, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 23-312, 23-313, 23-402, 23-403, 23-404, 23-406, 23-407, 23-408, 23-409, 23-502, 23-506, 23-507, 23-508, 23-510, 23-512, 23-513, 23-514, 23-515, 23-517, 23-518,

23-519, 23-601, 23-607, 23-608, 23-610, 23-805, 23-914, 23-1303, 23-1305 AND 23-1311, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 33-2105, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTIONS 57-1113, 63-3622M, 63-3638A AND 67-802, IDAHO CODE, TO REVISE TERMINOLOGY.

**HOUSE BILL NO. 29****BY REVENUE AND TAXATION COMMITTEE****AN ACT**

RELATING TO TAXATION OF PERSONAL PROPERTY; AMENDING SECTION 63-602KK, IDAHO CODE, TO REVISE THE FISCAL YEAR THAT IS USED TO CALCULATE WHEN THE EXEMPTION TAKES EFFECT AND TO PROVIDE ADDITIONAL PROCEDURES FOR APPLICATION FOR THE EXEMPTION AND RECOVERY OF THE EXEMPTION THAT WAS IMPROPERLY CLAIMED OR APPROVED; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 30****BY REVENUE AND TAXATION COMMITTEE****AN ACT**

RELATING TO PAYMENT AND COLLECTION OF PROPERTY TAXES; AMENDING SECTION 63-902, IDAHO CODE, TO REQUIRE THAT THE PERCENTAGE CHANGE FROM THE PRIOR YEAR'S PROPERTY TAXES AND THE ACREAGE OF THE PROPERTY ARE INCLUDED IN THE PROPERTY TAX NOTICE; AND PROVIDING AN EFFECTIVE DATE.

[H 26](#), [H 27](#), [H 28](#), [H 29](#), and [H 30](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 28, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:21 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk